

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SHAWN ARLIN DONLEY,

Plaintiff,

v.

WELLPATH, et al.,

Defendants.

No. 1:23-cv-01740-KES-SAB (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS, AND DISMISSING
CONSPIRACY CLAIM

Doc. 21

Plaintiff Shawn Arlin Donley is proceeding pro se and in forma pauperis in this action filed pursuant to 42 U.S.C. § 1983. This matter was referred to a United States magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On September 26, 2024, the assigned magistrate judge issued findings and recommendations recommending that this action proceed on plaintiff's *Monell* claims against Wellpath and County of Madera, and deliberate indifference claims against Chief Manuel Perez, Sheriff Tyson Pogue, Sergeant Khela, Sergeant Quick, Corporal Garza, Corporal Townsend, Sergeant Villanuava, Dr. Gustavian, Medina, Debbie, Eva, Michelle, Maria, Chloe, Alejandra, Victoria, Libby, and Jane Doe. Doc. 21. It was also recommended that plaintiff's conspiracy claim be dismissed from the action for failure to state a cognizable claim for relief. *Id.* The findings and recommendations were served on plaintiff and provided him 14 days to file objections. *Id.* at 9. No objections have been filed and the time to do so has passed. *See* docket.

1 In accordance with 28 U.S.C. § 636(b)(1), the Court has conducted a de novo review of
2 this case. Having carefully reviewed the file, the Court finds the findings and recommendations
3 are supported by the record and proper analysis.

4 Accordingly:

- 5 1. The findings and recommendations issued on September 26, 2024, Doc. 21, are
6 adopted in full;
- 7 2. This action proceeds only on plaintiff's *Monell* claims against Wellpath and County
8 of Madera, and deliberate indifference claims against Chief Manuel Perez, Sheriff
9 Tyson Pogue, Sergeant Khela, Sergeant Quick, Corporal Garza, Corporal Townsend,
10 Sergeant Villanuava, Dr. Gustavian, Medina, Debbie, Eva, Michelle, Maria, Chloe,
11 Alejandra, Victoria, Libby, and Jane Doe;
- 12 3. Plaintiff's conspiracy claim is dismissed from the action for failure to state a
13 cognizable claim for relief;
- 14 4. This matter is referred back to the assigned magistrate judge for further proceedings.

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17 IT IS SO ORDERED.

18 Dated: June 13, 2025


UNITED STATES DISTRICT JUDGE